

ORDINANCE NO. 00152

AN ORDINANCE of the County Council of King County, Washington, employing counsel to defend Cause No. 722560 in the Superior Court of the State of Washington for King County, entitled STATE OF WASHINGTON ex rel CHARLES O. CARROLL vs. KING COUNTY, et al.

WHEREAS, on April 30, 1970, there was filed in the Superior Court of the State of Washington for King County, under Cause No. 722560, an action entitled:

STATE OF WASHINGTON on the Relation of Charles O. Carroll, Relator,

v.

KING COUNTY, a municipal corporation and legal subdivision of the State of Washington; EDWARD J. LOGAN, as Acting Director, Department of Records and Elections, King County, Washington; JOHN D. SPELLMAN, as County Executive, King County, Washington; ALLEN B. MORGAN, as County Assessor, King County, Washington; and TRACY J. OWEN, ROBERT B. DUNN, WILLIAM H. REAMS, BERNICE STERN, JOHN T. O'BRIEN, THOMAS N. FORSYTHE, ED MUNRO, EDWARD HEAVEY and DAVID J. MOONEY, as members of the King County Council, Respondents.

in which Relator seeks a declaratory judgment declaring Sections 640, 650.2 and 660 of the Home Rule Charter of King County unconstitutional insofar as they authorize elections for King County Executive, King County Assessor and members of the King County Council in odd-numbered years, and insofar as said sections make the terms of said offices coincidental with those of elected city officials; and seeking a declaratory judgment fixing election dates and terms of offices different from those provided in said Charter; and seeking writ of mandamus and other relief; and

WHEREAS, it is deemed necessary and advisable that an attorney who is skilled in such matters be employed as counsel for respondents above named to urge the validity of said Charter provisions;

NOW, THEREFORE, BE IT ORDAINED by the Council of King County, Washington, as follows:

Section 1. Kenneth P. Short of Seattle, Washington is hereby employed by the County as counsel for respondents in said Cause No. 722560, to appear on behalf of said respondents, and to prepare and file the necessary pleadings, motions, briefs, and make such oral arguments as may be appropriate in connection with the defense of said suit in the Superior Court of the State of Washington for King County, and on appeal thereof to the Court of Appeals of Washington and/or the Supreme Court of the State of Washington, as the case may be.

Section 2. The County shall compensate Kenneth P. Short for his services to be rendered in accordance with the provisions of the form of FEE AGREEMENT attached hereto and incorporated herein by reference, and the appropriate officers of King County be and they hereby are authorized to execute the same on behalf of King County.

Section 3. The Council finds as a fact that an emergency exists and the ordinance is necessary for the immediate preservation of public peace, health or safety, or for the support of County government and its existing public institutions.

INTRODUCED and read for the first time this 11th day of May, 1970.

PASSED this 18th day of May, 1970.

ATTEST:

Ralph R. Stender
Clerk of the Council

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Bill Reams
Chairman of the Council

APPROVED this 25th day of May, 1970.

FINANCE READINGS

5-11-70

5-18-70

5-18-70

[Signature]
KING COUNTY EXECUTIVE

I hereby accept employment as counsel in accordance with the provisions of the foregoing resolution.

Dated this 5th day of June, 1970.

Kenneth P. Short
KENNETH P. SHORT